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3 **UNITED STATES DISTRICT COURT**
4 **FOR THE NORTHERN DISTRICT OF NEW YORK**

5 JANE DOE, et al.

6 Plaintiffs,

7 vs.

8 HOWARD ZUCKER, et al.

9 Defendants.
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Civil Action No.: 1:20 – CV – 0840 (BKS/CFH)

DECLARATION OF H.D. IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY
INJUNCTION

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12 H.D. pursuant to 28 U.S.C. § 1746 declares under penalty of perjury as follows:

13 2. I am the mother of a medically fragile high school aged boy who attends school in the
14 Auburn School District of New York.

15 3. I write this declaration in support of the Plaintiffs' motion for a preliminary injunction
16 and as a potential class member in this suit.

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18 12. Our middle son has always had bad reactions to vaccines. After his vaccinations he
19 would be covered in a horrible and painful full body rash for months. It would start to
20 clear up and then would return after each set of vaccinations. He would also suffer from
21 personality changes after vaccinations. He would scream and be extremely irritable.

22 13. We never knew what vaccines were causing the problems because he was given so
23 many at once. One time after a vaccine appointment our son was unable to move his arm
24 for several days. It was terrifying.
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26 DECLARATION OF H.D. IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

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3 14. All of these issues after his vaccine appointments caused us to research possible causes
4 and we obtained a religious exemption based on our sincere beliefs that further
5 vaccination would violate our religious responsibilities to our child given the harm he'd
6 suffered.

7 15. Our son is only missing a few vaccines. We noticed a remarkable improvement in his
8 health during the years he did not receive any boosters.

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10 16. This last year we were forced to make an impossible decision after the religious
11 exemption was repealed. We tried to get our pediatrician to write a medical exemption but
12 he did not feel comfortable enough with the new regulations to do it. He did recommend
13 that the remaining vaccines be spaced out.

14 17. We waited until the last possible date and then made the appointments for the three
15 boosters our son needed to remain in school and sports.

16
17 18. We did the first one, meningococcal, and then made the appointments for the last two.

18 19. Despite our doctor's advice to spread them out, and the law, which provided for a
19 catch up schedule that allowed children to be in school so long as appointments were
20 scheduled, our son was kicked out of school several times and we were told he could not
21 be on a catch up schedule and he needed the last two shots immediately. We hired an
22 attorney but the school district would not budge and insisted that our son get all three
23 shots immediately without the two weeks in between as recommended.
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2 20. Within a couple days, my son therefore also received his Tdap (which was the sixth
3 DTaP booster) and varicella.
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5 21. The next morning he woke up and was completely unable to move his arm. He went to
6 school but was sent home with an excruciating headache. It went downhill from there. The
7 arm pain continued and was so bad he couldn't use his arm.

8 22. The headaches got worse and he also had extreme sensitivity to light. He also started
9 having very bad pain in his joints especially his knees and ankles.
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11 23. His brain swelling became so bad that he ended up in the ER. The doctor in the ER
12 told us it was a vaccine reaction and he shouldn't receive any more vaccinations. We
13 asked her to write us a medical exemption but she said she could not.

14 24. My son's condition deteriorated and he ended up at Golisano Children's hospital. The
15 doctors at Golisano agreed it was from the vaccines but there was nothing they could do.
16

17 25. Our son returned to school but has been dealing with several health problems since
18 being vaccinated in the fall including ongoing joint pain, migraines, neurological
19 symptoms and weakness and recently being diagnosed with an eating disorder. All of
20 these are known vaccine adverse side effects.
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22 26. Next year, our son will need another meningococcal to continue high school. His
23 younger brother is vulnerable too, having exhibited some of the same early symptoms our
24 older son initially had.
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3 27. We are beside ourselves. How can these doctors acknowledge that our son has been
4 harmed by vaccines and say it isn't safe for him to receive more, but then tell us that their
5 hands are tied and it isn't up to their clinical judgment? How is this okay for children like
6 my son?

7
8 28. Wherefore, I respectfully ask this Court to grant the relief and let our children remain
9 in school pending the outcome of this case and to stay the regulations that allow school
10 districts to overrule treating physicians.

11 RESPECTFULLY SUBMITTED this 10 day of August 2020

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15 H.D.
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